

SB 479 -7 STAFF MEASURE SUMMARY

Senate Committee On Workforce

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Meeting Dates: 1/24, 3/5, 4/2, 4/4

WHAT THE MEASURE DOES:

Requires public employers to adopt written policies to prevent workplace harassment. Requires policies include explanation to victims regarding rights, remedies, and confidentiality. Requires public employer to provide copy of policies to each employee. Requires public employer to develop written policies and procedures for investigating report of workplace harassment. Prohibits public funds being paid to any person in exchange for person's silence or inaction related to allegation or investigation of workplace harassment.

ISSUES DISCUSSED:

- potential amendments

EFFECT OF AMENDMENT:

-7 Replaces original measure. Requires public employers to adopt written policies to prevent workplace harassment. Requires policies include explanation to victims regarding rights, remedies, and confidentiality. Requires public employer to provide copy of policies to each employee. Requires public employer to develop written policies and procedures for investigating report of workplace harassment. Requires employer to establish a process for a victim of workplace harassment to file a complaint within four years from date of alleged harassment or within the applicable statute of limitations for filing an action under ORS 659A.875 whichever is greater. Requires employer to follow up with victim of alleged harassment every three months unless employee objects in writing. Prohibits public employer from entering into settlement, separation, or severance agreement that includes a nondisclosure provision preventing an employee or potential employee from disclosing workplace harassment, unless requested by the employee claiming to be a victim of workplace harassment. Prohibits public employer from entering into settlement, separation, or severance agreement that includes a "no rehire" clause.

BACKGROUND:

Currently, the State does not require public employers to have policies preventing workplace harassment as defined in the bill. Most public employers have policies related to the reporting and investigation of discrimination, including sexual harassment, but the state does not mandate uniformity in those policies. Senate Bill 479 requires public employers to adopt policies preventing workplace harassment and proscribes minimum standards for those policies.